

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 14, 16, and 17 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-17 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because:

(a) the amendment of claims 14, 16, and 17 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or

(b) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

OBJECTIONS TO THE DRAWINGS

In the Office Action at page 4, numbered item 8, the drawings were objected to. In view of these objections, corrections to FIGS. 11-13 and 18 have been made. Replacement figures have been submitted herewith. Therefore, the outstanding drawing objections should be resolved.

Reconsideration and withdrawal of the outstanding objections to the drawings are respectfully requested.

CLAIM OBJECTIONS

In the Office Action at page 4, numbered item 9, the Examiner objected to claim 14 because of informalities. Applicant respectfully submits that amendments made to claim 14 overcome this objection.

REJECTION UNDER 35 U.S.C. §112

In the Office Action at page 5, numbered items 11-13, claims 14-17 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. In view of the amendments to claim 14, Applicant respectfully requests that the rejection of independent claim 14, and claims 15-17 depending therefrom, be withdrawn.

REJECTIONS UNDER 35 U.S.C. §103

In the Office Action at pages 5-9, numbered item 15, claims 1, 2, 4-6, 8-10, 12, and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over pages 1-4 of the originally filed specification ("cited art") in view of U.S. Patent No. 4,819,233 to Delucia, et al. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claim 1 recites "disposing a comment statement including a **unique comment keyword** at **all positions** in a source code where a comment statement can be disposed." On page 6 of the office action, the Examiner has acknowledged that the cited art does not expressly disclose disposing comments at all positions in source code, or unique comment keywords which relate the source to the specification. Applicant respectfully disagrees with the Examiner's assertion that it would be obvious to dispose comments at all positions in a source code. Further, regarding Delucia, et al., Applicant respectfully submits that the "unique block identifiers" of Delucia, et al. are not analogous to the unique comment keywords of the present invention.

The Examiner's "cited art" teaches only extracting comment statements written just before an aggregate from a source code and editing this type of extracted comment statement. The "cited art" states at page 2, lines 27 to page 3, line 15, that "the specification generating system according to the prior art explained above does not regard the second [comment statements written within an aggregate having processing procedures] type of comment statement as a processing target." Thus, Applicant respectfully submits that prior art does not teach or suggest disposing a comment statement at **all positions** in a source code where a comment statement can be disposed, as recited in independent claims 1, 5, 9. A similar feature is recited in independent claim 13. For at least this reason, Applicant respectfully submits that independent claims 1, 5, 9, and 13 and those claims that depend either directly or indirectly therefrom patentably distinguish over the prior art.

Further, Applicant respectfully submits that the cited art only discusses referencing an absolute position of a description line number in a source code to update the source code. The cited art fails to teach or suggest "disposing a comment statement including a corresponding unique comment keyword" as recited in independent claim 1. Similar features are recited in independent claims 5, 9, and 13. The cited art, in contrast, discusses counting line numbers to identify the position of comment statements. Accordingly, Applicant respectfully submits that the cited portion fails to teach or suggest use of a "unique comment keyword," as recited by independent claims 1, 5, 9, and 13.

As the cited art fails to teach or suggest use of a unique comment keyword, the cited art at page 1, lines 25-26, fails to teach or suggest updating the comment statements using corresponding unique comment keywords. Applicant respectfully submits that this further distinguishes the present invention over the prior art.

Regarding the Delucia, et al. reference cited by the Examiner, Applicant respectfully submits that the "unique block identifier" of Delucia, et al. is not analogous to the unique comment keyword of the present invention. Delucia, et al. at col. 1, lines 19-22, teaches that comments with a unique block identifier are inserted and the beginning and ending of blocks of target units of codes and further teaches that pseudo code uses the same identifiers as instrumented codes. Thus, Delucia, et al. teaches the use of block identifiers to indicate starting and stopping points of blocks of target units of codes, and not unique comment keywords to identify comments in code.

Accordingly, Applicant respectfully submits that independent claims 1, 5, 9, and 13, and those claims depending either directly or indirectly therefrom, patentably distinguish over the prior art and are in condition for allowance.

In the Office Action at pages 9-10, numbered item 16, claims 3, 7, and 11 were rejected under 35 U.S.C. §103 as unpatentable over the cited art and Delucia, et al. as applied to claim 1, and further in view of the Abstract of Japanese Patent No. JP404055938A to Naota. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As claims 3, 7, and 11 depend, either directly or indirectly, from independent claims 1, 5, and 9 discussed above, Applicant respectfully submits that these claims patentably distinguish over the prior art for at least the reasons set forth above. Further, Applicant respectfully submits that Naota teaches only adding keywords to extracted comment statements. Naota fails to teach or suggest editing the comment statements through, for example, an input device. Accordingly, Applicant respectfully submits that claims 3, 7, and 11 patentably distinguish over the prior art for at least this reason and those set forth above.

In the Office Action at pages 10-12, numbered item 17, claims 14-17 were rejected under 35 U.S.C. §103 as being unpatentable over the cited art and Delucia, et al. in view of U.S. Patent No. 5,748,975 to Van De Vanter. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As the Examiner incorporated the rejection of claim 5 into the rejection of claims 14-17, Applicant respectfully submits that claims 14-17 patentably distinguish over the prior art for at least the same reasons as claim 5. Accordingly, Applicant respectfully submits that claims 14-17 are also in condition for allowance.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered

at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

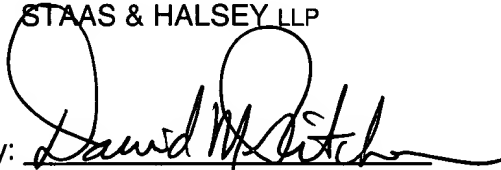
Respectfully submitted,

STAAS & HALSEY LLP

Date:

December 23, 2004

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Fig. 11

```
//outline
// obtain line count of file
// return value
// line count of file
// explanation of parameter
// nothing
int getline ()
{
    // initialize variable
    int c, nl;
    nl=0;
    // count number of lines till EOF is detected
    while ((c=getchar()) != EOF)
    {
        // check whether it is line feed signal or not
        if (c == '\n')
        {
            // count number of lines in the case of line feed signal
            ++nl;
        }
        // display line count on screen
        printf ("%d\n", nl);
        // return line count to caller
        return nl;
    }
}
```

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Fig. 12

```
//outline
// obtain line count of file
// return value
// line count of file
// explanation of parameter
// nothing
int getline ()
{
  // 1) Shading removed
  int c, nl;
  nl=0;
  // 2) Shading removed
  while ((c=getchar()) != EOF)
  {
    // 2.1) Shading removed
    if (c=='\n')
    {
      // 2.1.1) Shading removed
      ++nl;
    }
    // 3) Shading removed
    printf ("%d\n", nl);
    // 4) Shading removed
    return nl;
  }
}
```



Annotated Sheet

Fig. 13

```
//outline
// obtain line count of file
// return value
// line count of file
// explanation of parameter
// nothing
int getline()
{
    // initialize variable
    int c, nl;
    nl=0;
    // count number of lines till EOF is detected
    while ((c=getchar()) != EOF)
    {
        if (c == '\n')
        {
            ++nl;
        }
        // display line count on screen
        printf("%d\n", nl);
    }
    return nl;
}
```

Shading removed // initialize variable

Shading removed // count number of lines till EOF is detected

Shading removed //

if (c == '\n')

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Shading removed

++nl;

// display line count on screen

printf("%d\n", nl);

// Shading removed

return nl;

}

Fig. 18

```

//outline
// obtain line count of file
// return value
// line count of file
// explanation of parameter
// nothing
int getline()
{
  //1) initialize variable
  int c, nl;
  nl=0;
  //2) count number of lines till EOF is detected
  while ((c=getchar()) != EOF)
    //2.1) check whether it is line feed signal or not
    if (c == '\n')
      //2.1.1) count number of lines in the case of line feed signal
      ++nl;
  //3) display line count on screen
  printf("%d\n", nl);
  //4) return line count to caller
  return nl;
}

```

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